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**LAS VEGAS DEVELOPMENT GROUP, LLC**  
7 **AND AIRMOTIVE INVESTMENTS, LLC**

8  
9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 \*\*\*

12 THE BANK OF NEW YORK MELLON, FKA )  
THE BANK OF NEW YORK AS )  
13 SUCCESSOR IN INTEREST TO JP )  
MORGAN CHASE BANK NA AS TRUSTEE )  
14 FOR STRUCTURED ASSET MORTGAGE )  
INVESTMENTS II INC. BEAR STEARNS )  
15 ALT-A TRUST 2005-9, MORTGAGE PASS- )  
THROUGH CERTIFICATES, SERIES 2005-9, )

Case No. 2:16-cv-00478-JCM-GWF

16 Plaintiffs, )  
17 )  
18 vs. )

19 LAS VEGAS DEVELOPMENT GROUP, LLC, )  
a Nevada limited-liability company; ROYAL )  
20 HIGHLANDS STREET AND LANDSCAPE )  
MAINTENANCE CORPORATION, a Nevada )  
21 non-profit corporation; ALESSI & KOENIG, )  
LLC, a Nevada limited-liability company; and )  
22 AIRMOTIVE INVESTMENTS, LLC, a Nevada )  
limited-liability company, )

23 Defendants. )  
24 )

25 **STIPULATION AND ORDER TO EXTEND TIME TO**  
**RESPOND TO MOTION FOR SUMMARY JUDGMENT**  
26 **(Second Request)**

27 COMES NOW Plaintiff, THE BANK OF NEW YORK MELLON, FKA THE BANK OF  
28 NEW YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK NA AS

1 TRUSTEE FOR STRUCTURED ASSET MORTGAGE INVESTMENTS II INC. BEAR  
 2 STEARNS ALT-A TRUST 2005-9, MORTGAGE PASS-THROUGH CERTIFICATES,  
 3 SERIES 2005-9, and Defendants, AIRMOTIVE INVESTMENTS, LLC. and LAS VEGAS  
 4 DEVELOPMENT GROUP, LLC, by and through their undersigned counsel, and hereby stipulate  
 5 and agree as follows:

- 6 1. On November 15, 2018, Plaintiff filed a Motion for Summary Judgment herein  
 7 [ECF #59]. Responses to said Motion are presently due on January 4, 2019,  
 8 pursuant to a stipulation approved on December 12, 2018 [ECF #69].
- 9 2. Defendants' counsel have been required to devote time and attention to numerous  
 10 other family and pending legal matters since the filing of the Motion for Summary  
 11 Judgment which have detracted from the time available prepare a response. In  
 12 addition to the Christmas and New Years Day holidays, Defendants' counsel has  
 13 filed numerous appellate briefs and an United States Supreme Court amicus brief  
 14 since the filing of the Motion for Summary Judgment.
- 15 3. Based upon the foregoing, Defendants have requested and shall be granted an  
 16 additional extension of time until January 18, 2019, in which to respond to the  
 17 Plaintiff's Motion for Summary Judgment.
- 18 4. This Stipulation is made in good faith and not for purpose of delay.

19 Dated this 4<sup>th</sup> day of January, 2019.

20 ROGER P. CROTEAU &  
 21 ASSOCIATES, LTD.


SNELL & WILMER L.L.P.

22 /s/ Timothy E. Rhoda  
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 Bank of New York Mellon

STIPULATION AND ORDER TO EXTEND TIME TO  
RESPOND TO MOTION FOR SUMMARY JUDGMENT (Second Request)  
2:16-cv-00478-JCM-GWF

**IT IS SO ORDERED.**

By:   
UNITED STATES DISTRICT JUDGE

Dated: January 7, 2019

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of January, 2019, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO MOTION FOR SUMMARY JUDGMENT (Second Request)** to the following parties:

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